

**House File 204 - Introduced**

HOUSE FILE 204

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 2)

**A BILL FOR**

1 An Act relating to the unauthorized placement of a global  
2 positioning device and providing a penalty.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 708.11A Unauthorized placement of  
2 global positioning device.

3 1. A person shall not place a global positioning device or  
4 a device equipped with global positioning technology on a motor  
5 vehicle owned or leased by another person without the consent  
6 of the other person.

7 2. A person shall not intentionally obtain information  
8 regarding the movement or location of another person from a  
9 global positioning device or a device equipped with global  
10 positioning technology that has been placed without the consent  
11 of the other person.

12 3. This section does not apply to any of the following:

13 a. A manufacturer, as defined in section 321.1, or a  
14 person acting within the scope of the person's employment, who  
15 installs an in-vehicle communication or telematics system.

16 b. A device installed by or with the permission of the  
17 vehicle owner for automobile insurance rating, underwriting, or  
18 claims handling purposes.

19 c. A peace officer acting within the officer's scope of  
20 employment.

21 d. A parent or guardian tracking the movement or location of  
22 the parent's minor child or guardian's ward.

23 e. An employer or business owner tracking the movement or  
24 location of a motor vehicle owned, leased, or assigned for use  
25 by the employer or business owner.

26 f. A person tracking the movement or location of a device  
27 included within the person's shared cellular telephone service  
28 plan.

29 4. A person who violates this section commits a serious  
30 misdemeanor.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with  
33 the explanation's substance by the members of the general assembly.

34 This bill relates to the unauthorized placement of a global

1 positioning device.

2 Under the bill, a person shall not place a global positioning  
3 device or a device equipped with global positioning technology  
4 on a motor vehicle owned or leased by another person without  
5 the consent of the other person.

6 The bill also prohibits a person from intentionally  
7 obtaining information regarding the movement or location of  
8 another person from a global positioning device or a device  
9 equipped with global positioning technology that has been  
10 placed without the consent of the other person.

11 The bill does not apply to any of the following: (1) a  
12 manufacturer, as defined in Code section 321.1, or a person  
13 acting within the scope of the person's employment, who  
14 installs an in-vehicle communication or telematics system, (2)  
15 a device installed with the vehicle owner's permission for  
16 automobile insurance rating, underwriting, or claims handling  
17 purposes, (3) a peace officer acting within the scope of  
18 employment, (4) a parent or guardian tracking the movement  
19 or location of the parent's minor child or guardian's ward,  
20 (5) an employer or business owner tracking the movement or  
21 location of a motor vehicle owned, leased, or assigned for use  
22 by the employer or business owner, or (6) a person tracking the  
23 movement or location of a device included within the person's  
24 shared cellular telephone service plan.

25 A person who violates the bill commits a serious  
26 misdemeanor. A serious misdemeanor is punishable by  
27 confinement for no more than one year and a fine of at least  
28 \$315 but not more than \$1,875.